

JOHN L. BURRIS, ESQ. CSB#69888
LAW OFFICES OF JOHN L. BURRIS
Airport Corporate Centre
7677 Oakport Street, Suite 1120
Oakland, CA 94621-1939
Tel: (510) 839-5200
Fax: (510) 839-3882
E/M: John.Burris@JohnBurrisLaw.com

Attorneys for Danilo Martin Molieri
And Daniel Steven Molieri, Plaintiffs

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
(SAN FRANCISCO)

DANIEL MARTIN MOLIERI and,
DANIEL STEVEN MOLIERI,

Plaintiffs,

vs

COUNTY OF MARIN; Marin
County Sheriff's Sergeant
J. SCARDINA; Sheriff's Deputy
ERIC RICHARDSON; Sheriff's
Deputy BONDANZA; CITY AND
COUNTY OF SAN FRANCISCO;
San Francisco Police Sergeant
R. COX; San Francisco Police
Sergeant J. O'MALLEY; and
DOES 1 through 25, inclusive,

Defendants.

CASE NO. C-10-5430 MMC

Complaint Filed: 12/1/2010

STIPULATION TO CONTINUE SETTLEMENT
CONFERENCE; (~~PROPOSED~~) ORDER ON
STIPULATION

STIPULATION

The parties in this, the above-entitled matter, by and through their respective counsel of record, stipulate and agree to the following in support of their request that the settlement

conference now scheduled for April 10, 2012 be continued to June 27, 2012. The following is proffered as good cause for the requested continuance:

1. The complaint in this matter was filed on December 1, 2010. Subsequent to its filing, counsel cooperatively and diligently developed this case for resolution, disposition or trial through discovery.
2. This case centers around police practices and, with significance to this request for a continuance of the settlement conference in this matter scheduled for April 10, 2012, plaintiffs' 4th amendment claims arising from the entry into plaintiffs' residence on December 8, 2012, and their detention and arrest on that occasion by law enforcement personnel of the County of Marin and the City and County of San Francisco.
3. The parties have filed reciprocal motions for summary judgment and partial summary judgment, principally directed to the aforementioned issues. The court has taken those motions under submission, having vacated the hearing scheduled for April 6, 2012.
4. The significance of the pending motions is such that the parties do not believe an effort to resolve this case without determination of the pending motions will be fruitful. The motions address the "discrete issues" that will most likely impact settlement, a subject expected to be addressed in settlement conference statements pursuant to the standing orders.
5. Given the foregoing factual representations, the parties request that the court continue the settlement conference to June 27, 2012, with settlement conference statements due seven (7) calendar days in advance, or June 20, 2012. Should that date be inconvenient to the court, the parties are available on June 25 and 26. The parties are not available on June 22, 2012.

Dated: April 6, 2012

LAW OFFICES OF JOHN L. BURRIS

By: /S/JOHN L. BURRIS
John L. Burris, Esq.
Attorneys for Plaintiffs
Danilo Martin Molieri and
Daniel Steven Molieri

Dated: April 6, 2012

PATRICK K. FAULKNER
County Counsel

By: /S/RENEE GIACOMINI BREWER
Renee Giacomini Brewer.
Deputy County Counsel
Attorneys for County of Marin

Dated: April 6, 2012

DENNIS J. HERRERA
City Attorney
JOANNE HOEPER
Chief Trial Deputy

By: /S/MICHAEL GERCHOW
Michael Gerchow
Deputy City Attorney
Attorneys for Defendant
City and County of San Francisco

ORDER

The court, having considered the parties' stipulation and good cause appearing,

IT IS ORDERED that the settlement conference in this matter is continued to June 27,
2012 at 10:00 a.m. **Confidential** settlement conference statements to be lodged no later than

June 20, 2012 in compliance with standing orders of Chief Magistrate Judge Maria Elena James for settlement conferences.

Dated: April 9, 2012

